Amendments to the Claims:

Please amend claims 7, 8 and 21 as follows.

Please cancel claims 1-6, 14-20 and 22-29 without prejudice.

Please add new claims 30-33 as follows:

All amendments and cancellations to the claims are made without prejudice or disclaimer. This listing of claims replaces all prior versions and listings of claims in the application:

Listing of Claims:

Claims 1-6 **(Cancelled)**

7. **(Currently amended)** A method for detecting a cancerous cell, said method comprising:

detecting a level of a gene product, said gene product comprising the nucleotide sequence of SEQ ID NO:23702, or complements thereof, or encoded for by a nucleic acid comprising the nucleotide sequence of SEQ ID NO:23702 ~~corresponding to any one of SEQ ID NOS:1-23767~~ and complements thereof, and

comparing the level of the gene product to a control level of said gene product;

wherein the presence of a cancerous cell is indicated by detection of an increase in said level of the gene product in ~~and~~ comparison to a control level of the gene product.

8. **(Currently amended)** The method of claim 7, wherein said cancerous cell is a cancerous breast, colon or prostate cell ~~cell~~.

9. **(Original)** The method of claim 7, wherein said gene product is nucleic acid.

10. **(Original)** The method of claim 7, wherein said gene product is a polypeptide.

11. **(Original)** The method of claim 7, wherein said detecting step uses a polymerase chain reaction.

12. **(Original)** The method of claim 7, wherein said detecting step uses hybridization.

13. **(Original)** The method of claim 7, wherein said sample is a sample of tissue suspected of having cancerous cells.

Claims 14-20 **(Cancelled)**

21. **(Currently amended)** A method for assessing the tumor burden of a subject, said method comprising:

detecting a level of a gene product ~~corresponding to any one of SEQ ID NOS:1-23767~~ in a test sample from a subject, said gene product comprising the nucleotide sequence of SEQ ID NO:23702, or complements thereof, or encoded for by a nucleic acid comprising the nucleotide sequence of SEQ ID NO:23702 or complements thereof;

wherein the level of said gene product in the test sample is indicative of the tumor burden in the subject.

Claims 22-29 **(Cancelled)**

30. **(New)** A method of diagnosing cancer comprising:

a) determining the level of a nucleotide sequence having at least 95% sequence identity to SEQ ID NO:23702, or a complement thereof, in a patient sample; and

b) comparing said level of nucleotide sequence in (a) to a level of the nucleotide sequence in a second sample, said second sample comprising a negative control comprising non-cancerous tissue;
wherein an increase of at least 50% between the level of the nucleotide sequence in (a) and the level of the nucleotide sequence in the second sample indicates that the patient has cancer.

31. **(New)** The method of claim 30 wherein the increase is at least 100% compared with the negative control.

32. **(New)** The method of claim 31 wherein the increase is at least 200% compared with the negative control.

33. **(New)** The method of claim 30 wherein the cancer is breast, colon or prostate cancer.